

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.
)	
Plaintiff,)	
)	JUDGE
v.)	
)	
2012 AUDI A4 WITH TWO HIDDEN)	
TRAP (DRUG) COMPARTMENTS,)	
VIN: WAUBFAFL1CN019210, ILLINOIS)	
PLATE: AK55031,)	
)	
Defendant.)	COMPLAINT IN FORFEITURE

NOW COMES plaintiff, the United States of America, by Justin E. Herdman, United States Attorney for the Northern District of Ohio, and James L. Morford, Assistant U.S. Attorney, and files this Complaint in Forfeiture, respectfully alleging as follows in accordance with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

JURISDICTION AND INTRODUCTION

1. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. Section 1345, and over an action for forfeiture under 28 U.S.C. Section 1355(a). This Court also has jurisdiction over this particular action under 21 U.S.C. Section 881(a)(4).

2. This Court has *in rem* jurisdiction over the defendant vehicle under: (i) 28 U.S.C. § 1355(b)(1)(A) because acts giving rise to the forfeiture occurred in this district; and, (ii) 28

U.S.C. § 1355(b)(1)(B), incorporating 28 U.S.C. § 1395, because the action accrued in this district and the defendant vehicle is found in this district.

3. Venue is proper in this district under: (i) 28 U.S.C. § 1355(b)(1)(A) because acts giving rise to the forfeiture occurred in this district; and, (ii) 28 U.S.C. § 1395 because the action accrued in this district and the defendant vehicle is found in this district.

4. This Court will have control over the defendant vehicle through service of an arrest warrant *in rem*, which the United States Marshals Service will execute upon the defendant vehicle. *See*, Supplemental Rule G(3)(b) and G(3)(c).

5. The defendant vehicle is a 2012 Audi A4, with two hidden trap (drug) compartments. The Vehicle Identification Number (VIN) is: WAUBFAFL1CN019210, and the license plate number is: AK55031 (Illinois). The defendant vehicle is valued at \$9,750.00 - with no current liens – and is presently titled to TERESA ENRIQUEZ.

6. On January 7, 2018, at Cleveland, Ohio, the defendant vehicle was seized pursuant to the arrests of ERIC SALAS, JESUS GASTELUM VASQUEZ, and JESUS BOJORQUEZ RAMIREZ. SALAS, VASQUEZ, and RAMIREZ were arrested as they were unloading approximately 18 kilograms of cocaine (valued at approximately \$630,000.00) from the defendant vehicle. The cocaine was hidden within two “trap compartments” in the floorboards behind the driver and front passenger seats.

7. The defendant vehicle is now in the custody of the federal government.

8. The Federal Bureau of Investigation (FBI) commenced an administrative forfeiture proceeding against the defendant vehicle. A claim was submitted by TERESA ENRIQUEZ in the administrative forfeiture proceeding, thereby requiring the filing of this judicial forfeiture action.

9. The defendant vehicle is subject to forfeiture to the United States under 21 U.S.C. § 881(a)(4) in that: (i) it was used to transport a controlled substance (cocaine); and/or, (ii) it was used, in any manner, to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance (cocaine).

FORFEITURE

10. In approximately November, 2017, investigators with the Northern Ohio Law Enforcement Task Force (NOLETF) began coordinating a multi-kilogram cocaine shipment to Cleveland, Ohio, from the California/Arizona area. At approximately 10:53 a.m. on Saturday, January 6, 2018, a confidential source (CS) received a telephone call indicating the cocaine had arrived in the Cleveland area.

11. At approximately 3:17 p.m., the CS received a telephone call from ERIC SALAS, who indicated he was in Warrensville Heights, Ohio, and was ready to meet with the CS. The CS provided SALAS the address of a house located on Yorkshire Lane in Parma, Ohio. SALAS and JESUS BOJORQUEZ RAMIREZ were to meet the CS at this address.

12. The Yorkshire Lane house was secured by NOLETF and was intended to be the location where SALAS and RAMIREZ stayed while in the Cleveland area as well as the location where the cocaine would be delivered.

13. At approximately 4:14 p.m., SALAS and RAMIREZ arrived at the Yorkshire Lane house. The CS explained they could stay at the house and that the trap vehicle could be delivered there; they could unload the trap vehicle and conduct their business from the house.

14. SALAS explained he would contact his boss and they would check on the viability of the house for what they needed. SALAS explained that their boss was in town and

would be a part of the transaction the following day as the boss was the only one who knew how to extract the cocaine from the trap vehicle.

15. During the afternoon/evening hours of Saturday, January 6, 2018, the CS had a series of telephone calls with SALAS, who stated his boss was not happy with the Yorkshire Lane house and wanted a house with an attached garage so that they could store the cocaine there while conducting business until the cocaine was gone.

16. The CS stated he/she would attempt to find a better location to unload the trap vehicle and store the cocaine.

17. On Sunday, January 7, 2018, members of NOLETF secured a garage/warehouse on East 171st Street in Cleveland, Ohio, as the location where the cocaine could be delivered. NOLETF outfitted the garage/warehouse with covert video recording device(s).

18. The CS placed a telephone call to SALAS and advised him that the CS had located a good facility to unload the trap vehicle and store the cocaine. SALAS stated he wanted to take a look at the facility to be able to describe it to his boss.

19. At approximately 10:50 a.m., the CS traveled to the Yorkshire Lane house where he/she met with SALAS and RAMIREZ. The CS subsequently drove SALAS and RAMIREZ to the warehouse on East 171st Street, where SALAS and RAMIREZ were able to look around and determine whether they liked the location. At approximately 12:00 p.m., the CS transported SALAS and RAMIREZ back to the Yorkshire Lane house where they were dropped off at approximately 12:26 p.m.

20. At approximately 2:05 p.m., the CS received a telephone call from SALAS, who stated that the CS should come back to the Yorkshire Lane house to pick them up so they could

go to the hotel where their boss was staying to pick up the trap vehicle and take it to the warehouse.

21. At approximately 2:17 p.m., the CS traveled to the Yorkshire Lane house. Upon arrival, SALAS stated they needed to pick up their boss at the University Hotel on Euclid Avenue, Cleveland.

22. The CS, SALAS, and RAMIREZ departed the Yorkshire Lane house. Upon arrival at the University Hotel, the CS was directed to stop in front of the main entrance and wait. A short time later, JESUS GASTELUM VASQUEZ came out of the hotel and got into the back seat of the CS's vehicle. VASQUEZ directed the CS to the rear lot of the hotel where the defendant vehicle was parked.

23. At approximately 3:12 p.m., SALAS got out of the CS's vehicle and got into the defendant vehicle. At that time, SALAS drove the defendant vehicle following the CS as they traveled to the warehouse location, arriving at approximately 3:28 p.m.

24. SALAS pulled the defendant vehicle into the warehouse garage bay. VASQUEZ and RAMIREZ – and the CS – also entered the warehouse, where they were observed via electronic surveillance.

25. The CS was directed to go to a local hardware store and buy specific tools needed to extract the cocaine from the defendant vehicle; i.e., latex gloves, socket set, and a long item to reach into the trap. The CS left the warehouse and traveled to a Home Depot in Euclid, Ohio.

26. While the CS went to get the tools, SALAS, VASQUEZ, and RAMIREZ found a set of tools inside the warehouse and began taking the back seat out of the defendant vehicle. Once that was accomplished, they waited inside the warehouse for the CS's return.

27. The CS returned to the warehouse at approximately 4:20 p.m., and gave SALAS, VASQUEZ, and RAMIREZ the tools. They put on latex gloves and began removing additional parts of the rear seat area of the defendant vehicle. Subsequently, they removed (17) kilogram bundles of cocaine from the two traps inside the defendant vehicle.

28. At approximately 5:04 p.m., NOLETF investigators learned that there was only one kilogram of cocaine still inside the defendant vehicle and that SALAS, VASQUEZ, and RAMIREZ were working on getting it out.

29. At approximately 5:06 p.m., members of FBI SWAT moved in to make the arrests of SALAS, VASQUEZ, and RAMIREZ. Entry was made, and VASQUEZ and RAMIREZ were observed running to the rear of the warehouse and throwing off their latex gloves.

30. SALAS, VASQUEZ, and RAMIREZ were eventually secured and taken into custody. A total of 18 kilograms of cocaine were recovered, with one kilogram found “sticking out” of a trap in the defendant vehicle.

31. Throughout this time, surveillance had been maintained at the University Hotel, and HIDTA HIT¹ detectives determined that TERESA ENRIQUEZ had rented room #600. As alleged in paragraph 5, above, the defendant vehicle is presently titled to ENRIQUEZ.

32. Contact was made with ENRIQUEZ at the hotel room. ENRIQUEZ gave detectives consent to come in and speak with her. ENRIQUEZ admitted to being in Los Angeles on January 2nd, but stated she had never been to Arizona. ENRIQUEZ also gave detectives consent to search the room. Detectives recovered an airline receipt for ENRIQUEZ for a flight

¹ HIDTA is an acronym for High Intensity Drug Trafficking Area. HIT is an acronym for Hotel Interdiction Team.

to Los Angeles, California, on Tuesday, January 2, 2018, and a receipt from a store in Arizona on Thursday, January 4, 2018.

33. The next day, January 8, 2018, NOLETF task force officers conducted an interview of ENRIQUEZ at the Cuyahoga County Sheriff's Office interview room. ENRIQUEZ was advised of her *Miranda* rights, which she indicated she understood and waived. Among other things, ENRIQUEZ stated the following:

- a.) ENRIQUEZ was asked about the luggage that was found in the trunk of the defendant vehicle during the seizure of the cocaine on Sunday, January 7th. ENRIQUEZ stated the luggage was from an "old" trip she took and it had been in the trunk for a while.
- b.) The NOLETF task force officer explained there was a luggage claim ticket on the suitcase with a date of January 2, 2018, for arrival at LAX. ENRIQUEZ then changed her story and stated that her grandfather, who resides in Los Angeles, purchased a one-way ticket for her. ENRIQUEZ said she flew into LAX around 4:00 p.m. on Tuesday, January 2, 2018.
- c.) ENRIQUEZ said the following day (Wednesday, January 3rd) her husband and two children left Indianapolis, Indiana, and drove to Los Angeles.
- d.) ENRIQUEZ said they all met at her grandparents' house on Friday (January 5th), and that they stayed in Los Angeles for a few hours and visited with her grandparents.
- e.) ENRIQUEZ said that after their brief visit, they all left Los Angeles on Friday and drove back to Indiana non-stop. She indicated they took Route 66 and were traveling in a Volkswagen Passat; however, "she doesn't know who the owner of the Volkswagen is."
- f.) ENRIQUEZ stated it took them only 20 hours to make it from Los Angeles, California, to Indiana.
- g.) The NOLETF task force officer asked ENRIQUEZ about what brought her to Cleveland, Ohio. ENRIQUEZ stated her family friend, known to her only as Jesus, asked her for a ride to Cleveland so he could meet up with a friend. On Sunday morning (January 7, 2018), an unknown person dropped off Jesus at her residence in Indianapolis, Indiana. She said they drove straight to Cleveland in the defendant vehicle.

34. On January 31, 2018, a two-count Indictment was returned in N.D. Ohio Case No. 1:18-CR-051 (Judge Benita Y. Pearson). Therein, defendants ERIC SALAS, JESUS GASTELUM VASQUEZ, and JESUS BOJORQUEZ RAMIREZ were charged as follows:

Count 1: Conspiracy to Distribute and Possess with Intent to Distribute Cocaine, in violation of 21 U.S.C. Section 846.

Count 2: Possession with Intent to Distribute Cocaine, in violation of 21 U.S.C. Section 841(a)(1).

CONCLUSION

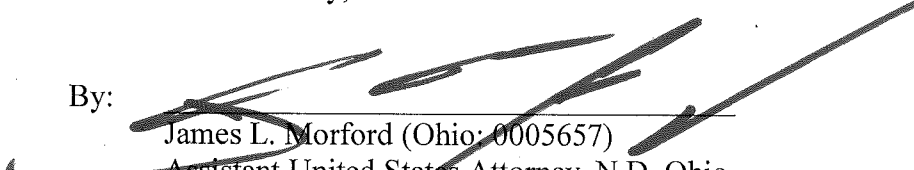
35. By reason of the foregoing, the defendant vehicle is subject to forfeiture to the United States under 21 U.S.C. § 881(a)(4) in that: (i) it was used to transport a controlled substance (cocaine); and/or, (ii) it was used, in any manner, to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance (cocaine).

WHEREFORE, plaintiff, the United States of America, respectfully requests that this Court enter judgment condemning the defendant vehicle and forfeiting it to the United States, and providing that the defendant vehicle be delivered into the custody of the United States for disposition according to law, and for such other relief as this Court may deem proper.

Respectfully submitted,

Justin E. Herdman
U.S. Attorney, Northern District of Ohio

By:

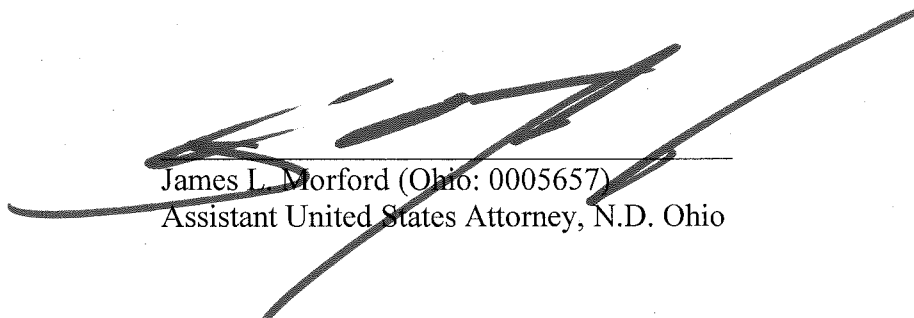


James L. Morford (Ohio: 0005657)
Assistant United States Attorney, N.D. Ohio
Carl B. Stokes U.S. Court House
801 West Superior Avenue, Suite 400
Cleveland, Ohio 44113
216.622.3743 / Fax: 216.522.7499
James.Morford@usdoj.gov

VERIFICATION

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

I, James L. Morford, under penalty of perjury, depose and say that I am an Assistant United States Attorney for the Northern District of Ohio, and the attorney for the plaintiff in the within entitled action. The foregoing Complaint in Forfeiture is based upon information officially provided to me and, to my knowledge and belief, is true and correct.



James L. Morford (Ohio: 0005657)
Assistant United States Attorney, N.D. Ohio

Sworn to and subscribed in my presence this 17th day of April, 2018.


Notary Public

DANIEL R. RANKE, Attorney At Law
Notary Public - State of Ohio
My commission has no expiration date.
Section 147.03 O. R. C.

JS 44 (Rev. 06/17)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

James L. Morford, Assistant U.S. Attorney - 400 U.S. Court House,
801 West Superior Avenue, Cleveland, Ohio 44113 - 216.622.3743

DEFENDANTS

2012 Audi A4 with two hidden trap (drug) compartments, Illinois plate:
AK55031, VIN: WAUBFAFL1CN019210, seized on January 7, 2018.

County of Residence of First Listed Defendant Cuyahoga County
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

Joseph N. Phillips, Esq. - Amato Law Office, L.P.A., 420 Broadway
Avenue, Wellsville, Ohio 43968 - office: 330.532.9500

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:
civil forfeiture action under 21 U.S.C. Section 881(a)(4).

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Judge Benita Y. Pearson

DOCKET NUMBER N.D. Ohio 1:18-CR-051

DATE

04/24/2018

FOR OFFICE USE ONLY

SIGNATURE OF ATTORNEY OF RECORD

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

I. Civil Categories: (Please check one category only).

1. ☒ General Civil
2. ☐ Administrative Review/Social Security
3. ☐ Habeas Corpus Death Penalty

*If under Title 28, §2255, name the SENTENCING JUDGE: _____

CASE NUMBER: _____

II. **RELATED OR REFILED CASES.** See LR 3.1 which provides in pertinent part: "If an action is filed or removed to this Court and assigned to a District Judge after which it is discontinued, dismissed or remanded to a State court, and subsequently refiled, it shall be assigned to the same Judge who received the initial case assignment without regard for the place of holding court in which the case was refiled. Counsel or a party without counsel shall be responsible for bringing such cases to the attention of the Court by responding to the questions included on the Civil Cover Sheet."

This action is ☒ **RELATED** to another **PENDING** case. This action is ☐ **REFILED** pursuant to **LR 3.1**.

If applicable, please indicate on page 1 in section VIII, the name of the Judge and case number.

III. In accordance with Local Civil Rule 3.8, actions involving counties in the Eastern Division shall be filed at any of the divisional offices therein. Actions involving counties in the Western Division shall be filed at the Toledo office. For the purpose of determining the proper division, and for statistical reasons, the following information is requested.

ANSWER ONE PARAGRAPH ONLY. ANSWER PARAGRAPHS 1 THRU 3 IN ORDER. UPON FINDING WHICH PARAGRAPH APPLIES TO YOUR CASE, ANSWER IT AND STOP.

(1) **Resident defendant.** If the defendant resides in a county within this district, please set forth the name of such county

COUNTY: Cuyahoga County

Corporation For the purpose of answering the above, a corporation is deemed to be a resident of that county in which it has its principal place of business in that district.

(2) **Non-Resident defendant.** If no defendant is a resident of a county in this district, please set forth the county wherein the cause of action arose or the event complained of occurred.

COUNTY:

(3) **Other Cases.** If no defendant is a resident of this district, or if the defendant is a corporation not having a principle place of business within the district, and the cause of action arose or the event complained of occurred outside this district, please set forth the county of the plaintiff's residence.

COUNTY:

IV. The Counties in the Northern District of Ohio are divided into divisions as shown below. After the county is determined in Section III, please check the appropriate division.

EASTERN DIVISION

☐
☒
☐

AKRON
CLEVELAND
YOUNGSTOWN

(Counties: Carroll, Holmes, Portage, Stark, Summit, Tuscarawas and Wayne)
(Counties: Ashland, Ashtabula, Crawford, Cuyahoga, Geauga, Lake,
Lorain, Medina and Richland)
(Counties: Columbiana, Mahoning and Trumbull)

WESTERN DIVISION

☐

TOLEDO

(Counties: Allen, Auglaize, Defiance, Erie, Fulton, Hancock, Hardin, Henry,
Huron, Lucas, Marion, Mercer, Ottawa, Paulding, Putnam, Sandusky, Seneca
VanWert, Williams, Wood and Wyandot)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

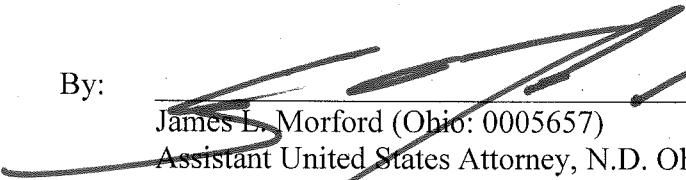
UNITED STATES OF AMERICA,)	CASE NO.
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Plaintiff,)	
)	JUDGE
v.)	
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2012 AUDI A4 WITH TWO HIDDEN)	
TRAP (DRUG) COMPARTMENTS,)	
VIN: WAUBFAFL1CN019210, ILLINOIS)	
PLATE: AK55031,)	
)	
Defendant.)	PRAECIPE

The United States of America respectfully requests that the Clerk of this Court issue the attached Warrant of Arrest *in Rem* to the United States Marshals Service (USMS) pursuant to Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

Respectfully submitted,

Justin E. Herdman
U.S. Attorney, Northern District of Ohio

By:


James L. Morford (Ohio: 0005657)
Assistant United States Attorney, N.D. Ohio
Carl B. Stokes U.S. Court House
801 West Superior Avenue, Suite 400
Cleveland, Ohio 44113
216.622.3743 / Fax: 216.522.7499
James.Morford@usdoj.gov

United States District Court

NORTHERN DISTRICT OF OHIO

WARRANT OF ARREST *IN REM*

TO: THE UNITED STATES MARSHAL AND/OR ANY OTHER DULY AUTHORIZED LAW
ENFORCEMENT OFFICER:

WHEREAS, on April 24, 2018 a Complaint in Forfeiture
was filed in this Court by Justin E. Herdman, United States Attorney for this District, on behalf of the United
States, against:

2012 Audi A4 with two hidden trap (drug) compartments (CATS Asset ID No.: 18-FBI-001883); Illinois
plate: AK55031, VIN: WAUBFAFL1CN019210, seized on January 7, 2018, at Cleveland, Ohio.

and WHEREAS, the defendant vehicle is currently in the possession, custody, or control of the United
States; and,

WHEREAS, Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset
Forfeiture Actions directs the Clerk of the Court to issue a warrant of arrest *in rem* for the arrest of the defendant
vehicle; and,

WHEREAS, Rule G(3)(c) of the Supplemental Rules for Admiralty or Maritime Claims and Asset
Forfeiture Actions provides that the warrant of arrest *in rem* must be delivered to a person or organization
authorized to execute it;

YOU ARE COMMANDED to arrest the defendant vehicle by serving a copy of this warrant on the
custodian in whose possession, custody, or control the vehicle is presently found, and to use whatever means may
be appropriate to protect and maintain it in your custody until further order of this Court.

YOU ARE FURTHER COMMANDED to file the same in this Court with your return thereon.

WITNESS THE HONORABLE		UNITED STATES DISTRICT JUDGE AT	
DATE April 24, 2018	CLERK (BY) DEPUTY CLERK		
Returnable <u>-60-</u> days after issue.			
UNITED STATES MARSHALS SERVICE			
DISTRICT	DATE RECEIVED		DATE EXECUTED
U.S. MARSHAL			

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF United States of America	COURT CASE NUMBER
DEFENDANT 2012 Audi A4 with two hidden trap (drug) compartments, VIN: WAUBFAFL1CN019210	TYPE OF PROCESS Warrant of Arrest in Rem
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN SERVE AT { 2012 Audi A4 with two hidden trap (drug) compartments (CATS Asset ID No.: 18-FBI-001883). ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

James L. Morford, Assistant U.S. Attorney
Office of the United States Attorney, Northern District of Ohio
400 United States Court House, 801 West Superior Avenue
Cleveland, Ohio 44113 - office: 216.622.3743

Number of process to be served with this Form 285	1
Number of parties to be served in this case	1
Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fold

Fold

2012 Audi A4 with two hidden trap (drug) compartments (CATS Asset ID No.: 18-FBI-001883); Illinois plate: AK55031, Vehicle Identification Number (VIN): WAUBFAFL1CN019210, seized on January 7, 2018 at Cleveland, Ohio.

Signature of Attorney other Originator requesting service on behalf of:

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

216.622.3743

DATE

4/24/18

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process _____	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk _____	Date _____
---	------------------------	---------------------------------	--------------------------------	---	---------------

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Address (complete only different than shown above)

Date _____ Time _____
☐ am
☐ pm

Signature of U.S. Marshal or Deputy

Service Fee	Total Mileage Charges including endeavors)	Forwarding Fee	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
					\$0.00

REMARKS:

PRINT 5 COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

PRIOR EDITIONS MAY BE USED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.
)	
Plaintiff,)	
)	JUDGE
v.)	
)	
2012 AUDI A4 WITH TWO HIDDEN)	
TRAP (DRUG) COMPARTMENTS,)	
VIN: WAUBFAFL1CN019210, ILLINOIS)	
PLATE: AK55031,)	
)	
Defendant.)	NOTICE OF FORFEITURE

To: Teresa Lara Enriquez
c/o Joseph N. Phillips, Esq. - Attorney for Teresa Lara Enriquez
Amato Law Office, L.P.A.
420 Broadway Avenue
Wellsville, Ohio 43968

The above-captioned forfeiture action was filed in U.S. District Court on April 24, 2018.

A copy of the Complaint in Forfeiture is attached. If you (Teresa Lara Enriquez) claim an interest in the defendant vehicle, the following applies.

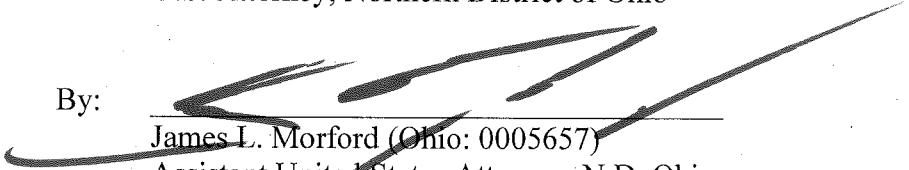
Pursuant to Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, you are required to file with the Court, and serve upon James L. Morford, plaintiff's attorney, whose address is United States Attorney's Office, 400 United States Court House, 801 West Superior Avenue, Cleveland, Ohio 44113, a verified claim to the defendant vehicle within 35 days after your receipt of the complaint. The claim shall contain the

information required by Rule G(5) of the said Supplemental Rules. Additionally, you must file and serve an answer to the complaint, or a motion under Rule 12 of the Federal Rules of Civil Procedure, within 20 days after the filing of the claim, exclusive of the date of filing. If you fail to do so, judgment will be taken for the relief demanded in the complaint.

Respectfully,

Justin E. Herdman
U.S. Attorney, Northern District of Ohio

By:



James L. Morford (Ohio: 0005657)
Assistant United States Attorney, N.D. Ohio
Carl B. Stokes U.S. Court House
801 West Superior Avenue, Suite 400
Cleveland, Ohio 44113
216.622.3743 / Fax: 216.522.7499
James.Morford@usdoj.gov

Date: April 24, 2018